IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SIXTEENTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

And
THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 20764 of 2004

Between:

E.Ramanjaneyulu, S/o.E.Ramudu,
R/o.26/299, Chennakesavapuram Village,
Dharmavaram Mandal, Anantapur District.

..... PETITIONER

AND

1 The Regional Transport officer, Hindupur, Anantapur Dist.
2 The Motor Vehicle Inspector, Hindupur, Anantapur District.
3 The Station House officer, Kothacheruvu P.S., Kothacheruvu, Anantapur District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of a writ of mandamus declaring the action of the respondents in seizing and detaining the petitioner's Light Motor vehicle (Maxi Cab) bearing Registration No.AP.02/7.6159 pursuant to the vehicle check Report No.0300624, dated 08-11-04 of the 2nd respondent as illegal, arbitrary and contrary to law and consequently direct the

respondents herein to release the petitioner's vehicle without insisting upon payment of any difference of tax, to the petitioner herein, forthwith.

Counsel for the Petitioner: MR.KUNCHEAM MAHESWARA RAO

Counsel for the Respondent Nos.1 to 3: GP FOR TRANSPORT

The Court, at the stage of admission, made the following:

(ORAL ORDER: Per: The Hon'ble Mr. Justice Bilal Nazki)

The vehicle has been seized on various allegations, which are subject matter of an inquiry. After hearing the learned counsel for the parties and with their consent, the writ petition is disposed of that the Light Motor Vehicle (Maxi Cab) bearing Registration No. AP.02/7.6159 be released on payment of tax due. The release of the vehicle shall be subject to the outcome of the inquiry to be conducted by the respondents. In the meantime, the petitioner shall not create any third party interest in the vehicle in question.

The writ petition is accordingly disposed of. No costs.

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BILAL NAZKI, J

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S. ANANDA REDDY, J

Dt. 16-11-2004

Pvks/*

Nb: Furnish operative portion by wire at party's costs.

B/o pvks/*

To

1 The Regional Transport officer, Hindupur, Anantapur Dist.
2 The Motor Vehicle Inspector, Hindupur, Anantapur District.
3 The Station House officer, Kothacheruvu P.S., Kothacheruvu, Anantapur District.

4.2CCs to the Government Pleader for Transport, A.P. High Court Buildings, Hyderabad (OUT).

5.2CD copies